

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON JULY 2, 2020

On the 2nd day of July 2020, the City Council of the City of Yreka met in regular session, and upon roll call, the following were present: Deborah Baird, Duane Kegg, Paul McCoy, and Norman Shaskey. Absent - Joan Smith Freeman.

Consent Calendar: Mayor Pro-tempore Kegg announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval/ratification of payments issued from June 11 through June 19 2020.
- b. Approval of the Minutes of the Special Meeting held May 28, 2020.
- c. Approval of the Minutes of the Special Meeting held June 4, 2020.
- d. Approval of Minutes of the meeting held June 18, 2020.
- e. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Councilmember Shaskey requested that item 1d be removed for discussion.

Following Council discussion, Councilmember McCoy moved to approve items 1a, b, c & e on the consent calendar as submitted.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Approval of Minutes of the Meeting Held June 18, 2020

Following Council discussion, Councilmember Shaskey moved to approve the minutes with an amendment to add to page 12706 under agenda item Authorize the Assistant Fire Chief as a stipened position within the Fire Department: *“Councilmember Shaskey moved to authorize the Assistant Fire Chief as a stipened potion within the Yreka Volunteer Fire Department, there being no second, the motion died”*.

Councilmember McCoy seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Adopt Resolution #2020-29 approving street closure and other requests associated with the Special Event to be known as “Wonderfully Distanced”.

City Manager Steve Baker reported to the Council that Kim Presley submitted a request for partial street closure to hold a special event to be held on Friday July 10 from 5 p.m. to 8 p.m. The event location will include the Liberty Arts Gallery at 108 W. Miner St., the City Plaza adjacent to the Gallery, and a partial street closure of North Broadway Street between Miner and North Street.

Brian Meek addressed the Council on behalf of Liberty Arts to answer any questions regarding the proposed event.

Following Council discussion, Councilmember Shaskey moved to adopt Resolution No. 2020-19 as submitted.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Approve appointment of Manuel Rambonga to the Yreka Volunteer Fire Department.

Following Council discussion, Councilmember McCoy moved to approve the appointment of Manuel Rambonga to the Yreka Volunteer Fire Department.

Councilmember Shaskey seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Introduce Ordinance amending certain sections of the Yreka Municipal Code by re-titling Chapter 11.24, amending section 11.24.030, entitled Building Construction – Curbs, Gutters, Sidewalks and Driveway Required, adding Section 11.24.080 through Section 11.24.230 entitled Landowners' Duty to Repair, Maintain, Liability and Disclose Relating to Sidewalks, Curbs, Gutter, Curb Cuts and Driveway Approaches and Obstruction Removal and Reclamation of Personal Property and amending Sections 15.16.030 entitled Parcel Map Certification, addition of Section 15.16.030.1, the amendment of Section 15.16.040 entitled Recordation and finding the adoption of this Ordinance to be exempt from CEQA.

Public Works Director Matt Bray provided the Council with a Memorandum reporting that by request of the Council, Staff researched the construction code which triggers Public Improvements. During multiple discussions with the City Attorney, additional related items were found to require clarification beyond this initial request. A thoughtful, extensive review, and subsequent deliberation led to the creation of this ordinance.

Staff understands construction costs increase over time and believe this ordinance should reflect the same. As such, Staff confirms it would be reasonable to increase the monetary amount of improvements to real property before property owners are required to construct sidewalks, curbs

and gutters. This amendment to the ordinance would raise this “trigger” amount from \$20,000 to \$30,000 as discussed in prior meetings.

Long standing City policies require sidewalks to be maintained by the property owner which front a City street. Public Works only maintains sidewalks of City owned properties such as the Parks and City Hall. A mechanism has been in place to assist owners who may not have the ability to perform such maintenance. In this case, the City may periodically perform (or have the work performed) and bill the owner for required repairs. Recent interpretations of the related State law (Streets and Highways Code 5610) provide that property owners are responsible to maintain and repair sidewalks abutting their property, but requires the local agency to adopt an ordinance imposing such liability. This ordinance would allow the City policies to continue to operate within State law.

Staff believes it to be in the public interest, that Public Works be enabled to remove obstructions to the safe navigation of sidewalks and to dispose of property so removed. This includes a holding period of items removed for a period of 10 days at the Municipal Service Center at 856 North Main Street. Items removed would be returned to the rightful owner once liens for the cost of removal are paid.

Lastly, additional provisions of the present municipal code relating to Parcel Map Certification, Offers of Dedication, add Recordation also require updating. This would better allow the City to conform to the State law, and would enable the Director of Public Works to approve offers of dedications required for the recordation of parcel maps and to certify those maps after review by the City Engineer.

It is expected local property owners will realize a reduced amount in Public Improvement costs associated with remodeling, additions, and installation of garages and outbuildings. There will also be time/funds saved by Staff in the administration and oversight of these smaller projects. Large developments will not be affected as they are governed by a separate set of codes.

Following Council discussion, Councilmember McCoy moved to introduce the Ordinance as submitted.

Councilmember Shaskey seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried, stating that the Ordinance will be brought back for adoption at the next Council meeting July 16, 2020.

Adopt Resolution #2020-20 authorizing the City Manager to award a Construction Contract to Advantage Paving & Excavating, Inc., for the Parking Lot Improvements Project in the amount of \$77,944.50 for the Base Bid, and to execute related documents.

Cynthia Lynch Municipal Projects Manager provided the Council with a memorandum reporting on the bids received for the Parking Lot Improvements project. The project involves two City parking lots, one on the corner of Fourth Street and Center Street and the other at the northwest

corner of Third Street and North Street. Portions of these parking lots will be excavated and repaired before the lots are chip sealed and fog sealed.

The City received 1 bid from Advantage Paving & Excavating Inc., in the amount of \$77,944.50 for the base bid. Staff evaluated the bidder's license status, bid bond, and insurance company information and has confirmed that the bidder is not debarred from working on projects in California. Staff finds the bid is responsive and the bidder to be responsible. The bid amount is reasonable given the current costs of labor and materials.

The fiscal impact of awarding the Base Bid contract is \$77,944.50, plus an estimated \$3,000 for the related city costs of inspection, testing and contract administration. The costs were previously budgeted for the parking lot improvements.

City Manager Steve Baker provided the Council with an amended Resolution adding additional language to Section 3 as shown underlined as follows: "... are hereby provisionally authorized, pending City Attorney review and agreement."

Following Council discussion, Councilmember McCoy moved to adopt Resolution No. 2020-20 as amended, authorizing a provisional award pending City Attorney review and approval of the Agreement.

Councilmember Shaskey seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Coronavirus Update: Review and Continuation of:

- Urgency Ordinance # 855 adopted 4-2-2020, Declaring a Local Emergency, and Authorizing the Participation in State and Federal Assistance Programs and the Temporary Waiver of: Equipment and Supplies Procurement Requirements, Utility Billing Practices, Human Resources Related Practices Which Are Each Deemed to be Arising From the Incidence of the Pandemic Relating to the Novel Coronavirus (Covid-19), and Setting Forth the Facts Constituting Such Urgency and Finding the Ordinance Exempt From CEQA Review.
- Urgency Ordinance # 856 temporarily suspending Sections 3.12.080 and 3.12.090 of the Yreka Municipal Code concerning payment of Transient Occupancy Tax, and Declaring the Urgency thereof.

Following Council discussion, Councilmember Shaskey moved to continue Ordinances # 855 & 856 as adopted.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Kegg, McCoy and Shaskey.

Mayor Pro-tempore Kegg thereupon declared the motion carried.

Mayor Pro-tempore Kegg announced that the Closed Session has been pulled from the agenda.

ADJOURNMENT There being no further business before the Council the meeting was adjourned.

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion July 16, 2020

Elizabeth E. Casson, City Clerk